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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,528	03/29/2004	Walter Forrest Frantz	BING-1-1070	1916
25315 75	90 01/06/2006		EXAMINER	
BLACK LOWE & GRAHAM, PLLC			KING, ANITA M	
701 FIFTH AV	ENUE		ART UNIT	PAPER NUMBER
SUITE 4800			AKTONII	PAPER NUMBER
SEATTLE, WA	SEATTLE, WA 98104			
			DATE MAILED: 01/06/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	
	10/811,528	FRANTZ ET AL.	
Office Action Summary	Examiner	Art Unit	
	Anita M. King	3632	
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address	
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w. - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim vill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).	
Status			
Responsive to communication(s) filed on 21 Oct This action is FINAL . 2b) ☑ This Since this application is in condition for allowar closed in accordance with the practice under E	action is non-final. nce except for formal matters, pro		
Disposition of Claims			
4) ☐ Claim(s) 1-49 is/are pending in the application. 4a) Of the above claim(s) 13-49 is/are withdraw 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) 1-12 are subject to restriction and/or expressions.	n from consideration.		
Application Papers			
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) access applicant may not request that any objection to the Replacement drawing sheet(s) including the correction of the order access and the correction of the order access and the correction of the order access and the correction of the correction of the order access and the correction of the	epted or b) objected to by the I drawing(s) be held in abeyance. See ion is required if the drawing(s) is ob	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).	
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the prior application from the International Bureau * See the attached detailed Office action for a list of	s have been received. s have been received in Applicati ity documents have been receive ı (PCT Rule 17.2(a)).	on No ed in this National Stage	
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal F 6) Other:		

Application/Control Number: 10/811,528

Art Unit: 3632

This is the second office action for application number 10/811,528, Non-protruding Seat Track Apparatus and Methods, filed on March 29, 2004.

Response to Amendment

The reply filed on October 21, 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the applicant was required to make an election of species between Figs. 4-9, which are different embodiments of the claimed invention, see pages 3-7 of the office action dated September 26, 2005.

Currently Fig. 4 is species I, drawn to claims 1-4 and 10-12; Fig. 5 is species II, drawn to claims 1, 2, 4, 5, and 10-12; Fig. 6 is species III, drawn to claims 1, 2, 6, 7, and 10-12; Fig. 7 is species IV, drawn to claims 1, 2, 6, and 10-12; Fig. 8 is species V, drawn to claims 1, 2, 8, and 10-12; and Fig. 9 is species VI, drawn to claims 1, 2, and 9-12. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE** (1) **MONTH or THIRTY** (30) **DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Note: the examiner acknowledges the election of claims 1-12 in the response filed October 21, 2005.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita M. King whose telephone number is (571) 272-6817. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anita M. King

Primary Examiner

Art Unit 3632

January 3, 2006